

(12)
9/21/01
MA

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MICHAEL J. POTOPOWICZ,
Plaintiff

v.

ROBERT MEYERS, Warden, et al.,
Defendants

CIVIL ACTION NO. 1:CV-01-0749

(Judge Rambo)

FILED
HARRISBURG, PA
AUG 21 2001

MARY E. D'ANDREA, CLERK
Per [Signature]
Deputy Clerk

ORDER

In accordance with the accompanying memorandum, **IT IS
HEREBY ORDERED THAT:**

1. The complaint is dismissed without prejudice, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), for failing to state a claim upon which relief may be granted.¹
2. The Clerk of Court is directed to close this case.
3. Any appeal from this order will be deemed frivolous, not taken in good faith and without probable cause.

[Signature]
SYLVIA H. RAMBO
United States District Judge

Dated: August 21, 2001.

1. The dismissal of this action does not relieve Potopowicz of the obligation to pay the full filing fee. Until the filing fee is paid in full, the Administrative Order, issued May 1, 2001, is binding on the warden of SCI-Rockview and the warden of any correctional facility to which Potopowicz may be transferred.

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

* * MAILING CERTIFICATE OF CLERK * *

August 21, 2001

Re: 1:01-cv-00749 Potopowicz v. Wheeler

True and correct copies of the attached were mailed by the clerk
to the following:

Michael J. Potopowicz
SCI at Rockview
DS 8353
P.O. Box A
Bellefonte, PA 16823

cc:

Judge	(X)	(X) Pro Se Law Clerk
Magistrate Judge	()	() INS
U.S. Marshal	()	() Jury Clerk
Probation	()	
U.S. Attorney	()	
Atty. for Deft.	()	
Defendant	()	
Warden	()	
Bureau of Prisons	()	
Ct Reporter	()	
Ctroom Deputy	()	
Orig-Security	()	
Federal Public Defender	()	
Summons Issued	()	with N/C attached to complt. and served by: U.S. Marshal () Pltf's Attorney ()
Standard Order 93-5	()	
Order to Show Cause	()	with Petition attached & mailed certified mail to: US Atty Gen () PA Atty Gen () DA of County () Respondents ()
Bankruptcy Court	()	
Other _____	()	

MARY E. D'ANDREA, Clerk

DATE: August 21st, 2001

BY:


Deputy Clerk